



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: **Whitman, et al.**

Application No.: **09/887,789**

Attorney Docket No.: **3556-P03147US01**

Filed: **June 22, 2001**

For: **"ELECTRO-MECHANICAL SURGICAL DEVICE"**

Examiner: **Tran, Louis B.**

Group Art Unit: **3721**

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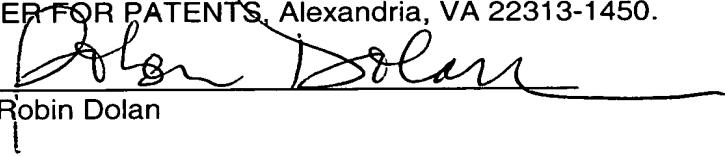
FEB 23 2004

TECHNOLOGY CENTER R3700

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this Response and accompanying papers are being deposited on **February 11, 2004** with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER FOR PATENTS, Alexandria, VA 22313-1450.

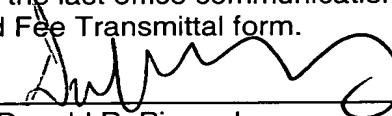
February 11, 2004
Date of Certificate


Robin Dolan

Petition for Extension Under 37 CFR §1.136(a)

Applicant's undersigned Attorney hereby petitions for an extension of time of **THREE** months beyond the time period set in the last office communication. The proper fee is enclosed as identified in the enclosed Fee Transmittal form.

February 11, 2004
Date of Certificate


Donald R. Piper, Jr.
PTO Registration No. 29,337

Commissioner for Patents
Alexandria, VA 22313-1450

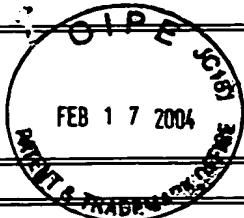
AMENDMENT

In connection with the Request for Continued Examination submitted herewith, Applicant submits the following in response to the Official Action dated August 12, 2003 (paper #14). Please amend the above-identified application as indicated on the following pages.

The amendments to the **claims** begin on **page 2**.

The **remarks** concerning the office action and Applicant's amendments begin on **page 10**.

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:

COMMISSIONER FOR PATENTS
Mail Stop RCE
Alexandria, VA 22313-1450.

Application No. 09/887,789

Filing Date: June 22, 2001

First Named Inventor: Whitman et al, Michael , P.

Group Art Unit: 3721

Examiner Name: Tran, Louis B.

Attorney Docket No. 3556-P03147US1

This is a request for a continued examination under 37 C.F.R. 1.114 of the above-
identified application.

02/19/2004 SSANDARA 00000026 09887789

01 FC:2801
02 FC:2202

385.00 OP
54.00 UP

1. Submission required under 37 C.F.R. §1.114

a. [] Previously filed

- i. [] Consider the unentered amendment/reply previously filed on _____
- ii. [] Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. [] Other _____

b. [x] Enclosed

- i. [x] Amendment/Reply
- ii. [] Affidavit(s)/Declaration(s)
- iii. [x] Information Disclosure Statement
- iv. [] Other

2. [x] Fee Transmittal Sheet is enclosed in duplicate.

3. [x] Request for extension: Pursuant to 37 C.F.R. §1.136, Applicant(s) request a three-month extension for filing a response to the outstanding Official Action.

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FEB 23 2004

TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY or AGENT	
Donald R. Piper, Jr. P.T.O. Regis. No.29,337	Phone (215) 563-4100 Fax (215) 563-4044

CERTIFICATE OR MAILING OR TRANSMISSION

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Date

2/11/04

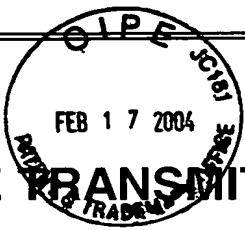
Robin Cifelli-Dolan

02/19/2004 SSANDARA 00000026 09887789

03 FC:2253

475.00 OP

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FEE TRANSMITTAL

Complete if known

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FEB 23 2004

Application Number: 09/887,789

Filing Date: June 22, 2001

First Named Inventor: Whitman et al, Michael , P. CENTER R3700

Group Art Unit: 3721

Examiner Name: Tran, Louis B.

Total Amt. of Payment: (1)+(2)+(3)= \$914

Attorney Docket Number: 3556-P03147US1

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																	
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge indicated fees <input checked="" type="checkbox"/> Charge additional fees <input checked="" type="checkbox"/> Credit overpayments to the account of DANN, DORFMAN, HERRELL & SKILLMAN Deposit Account Number <u>04-1406</u>		ADDITIONAL FEES Fee Description Fee Paid Surcharge-late filing fee or oath _____ Surcharge - late provisional filing fee or cover sheet _____ Extension for response within third month 475 Notice of Appeal _____ Filing a brief in support of an appeal _____ Request for oral hearing _____ Petition to revive unavoidably abandoned application _____ Petition to revive unintentionally abandoned application _____ Issue fee _____ Petitions to the Commissioner _____ Petitions related to provisional applications _____ Submission of Information Disclosure Stmt. _____ Recording each patent assignment per property _____ Other fee (specify) <u>RCE</u> 385 SUBTOTAL (1) <u>\$0</u> SUBTOTAL (3) <u>\$860</u>																	
2. Payment enclosed: Check in the amount of <u>\$914</u>																			
FEE CALCULATION 1. FILING FEE <table> <thead> <tr> <th>Fee Description</th> <th>Fee</th> </tr> </thead> <tbody> <tr> <td>Utility filing fee</td> <td>_____</td> </tr> <tr> <td>Design filing fee</td> <td>_____</td> </tr> <tr> <td>Plant filing fee</td> <td>_____</td> </tr> <tr> <td>Reissue filing fee</td> <td>_____</td> </tr> </tbody> </table> SUBTOTAL (1) <u>\$0</u> SUBTOTAL (3) <u>\$860</u>				Fee Description	Fee	Utility filing fee	_____	Design filing fee	_____	Plant filing fee	_____	Reissue filing fee	_____						
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2. <table> <thead> <tr> <th></th> <th>Paid</th> <th>Extr</th> <th>Fee</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>37</td> <td>-31</td> <td>= 6 x 9 = 54</td> </tr> <tr> <td>Independent Claims</td> <td>3</td> <td>-3</td> <td>= 0 x 43 = 0</td> </tr> <tr> <td>Multiple Dependent (First presentation)</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> SUBTOTAL (2) <u>\$54</u>					Paid	Extr	Fee	Total Claims	37	-31	= 6 x 9 = 54	Independent Claims	3	-3	= 0 x 43 = 0	Multiple Dependent (First presentation)			
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Multiple Dependent (First presentation)																			

Submitted By:

Typed or

Printed Name Donald R. Piper, Jr.

Reg. Number 29,337

Signature Doll R. Piper, Jr.

Date February 11, 2004

Deposit Account User ID
04-1406

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